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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,055	11/07/2001	Masaaki Morishima	WN-2411	4790

466 7590 11/21/2003

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/986,055

Applicant(s)

MORISHIMA, MASAOKI

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Kamada et al. (US 6,192,258).

Regarding **claim 1**, Kamada discloses a mobile communication device with a rotary push switch (column 1, lines 6-10), (which reads on claimed “a mobile terminal”) comprising:

a display device (141 on FIG. 1A) for displaying characters and an image (column 7, lines 8-39) [The main body has a flat display of a relatively large screen to display all the operations];

a browser controller (column 7, line 50 “a browser function”) for executing first processing for displaying first display data having the procedure for browsing a desired web page (column 7, line 54 “uniform resource locators”) and the content of the web page on the display device so that an operator browses the web page (column 7, lines

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48-60) [The programs include a browser whose functions is extended according to the user's selection];

an e-mail sending and receiving controller (column 8, line 56 "the anchor point of a person's e-mail") for executing second processing for displaying second display data having the procedure for creating an e-mail, the procedure for sending and receiving the e-mail (column 8, line 58 "sending an email is displayed"), and the content of the created or received e-mail on the display device so as to send and receive the e-mail (column 8, lines 56-65) [The person's email is selected with a pen for sending e-mail is displayed and also creating and receiving an email]; and

a switching controller (132 on FIG. 1A) for controlling the browser controller and the e-mail sending and receiving controller in accordance with operator's instructions and displaying the first display data and the second display data on the display device while switching them (column 7, lines 9-38) [The rotary switch is capable of clockwise and counterclockwise operations as well as push operations to switch from the browser and the e-mail operations].

Regarding **claims 2, 8 and 14**, Kamada discloses, wherein when the e-mail is received or the operator instructs the second processing while the browser controller executes the first processing, the switching controller controls the browser controller and the e-mail sending and receiving controller to display the content of the received e-mail or the second display data on the display device (column 8, lines 56-65).

Regarding **claims 3, 9 and 15**, Kamada discloses, wherein when the e-mail is received or the operator instructs the second processing while the browser controller executes the first processing, the switching controller controls the browser controller and the e-mail sending and receiving controller so that the display device displays the first display data and the content of the received e-mail or the second display data on a single screen or separated screens (column 9, lines 1-9).

Regarding **claims 4, 10 and 16**, Kamada discloses, wherein after the content of the received e-mail is displayed on the display device and a predetermined time passes, the switching controller controls the browser controller and the e-mail sending and receiving controller to display only the first display data on the display device (column 9, lines 1-9).

Regarding **claims 5, 11 and 17**, Kamada discloses a copying controller for copying all or a part of the first display data or the second display data displayed on the display device, as all or a part of the second display data or the first display data which is switched and displayed by the switching controller, in accordance with operators instructions (column 8, lines 12-15).

Regarding **claims 6, 12 and 18**, Kamada discloses, receiving the operator's instructions as at least one of manual operation and voice (column 7, lines 9-38).

Regarding **claim 7**, Kamada discloses a mobile communication device with a rotary push switch (column 1, lines 6-10), (which reads on claimed “a display switching method of a mobile terminal”), comprising:

a browser control step (column 7, line 50 “a browser function”) of executing first processing for displaying first display data having the procedure for browsing a desired web page (column 7, line 54 “uniform resource locators”) and the content of the web page on a display device so that an operator browses the web page (column 7, lines 48-60) [The programs include a browser whose functions is extended according to the user’s selection];

an e-mail sending and receiving control step (column 8, line 56 “the anchor point of a person’s e-mail”) of executing second processing for displaying second display data having the procedure for creating an e-mail, the procedure for sending and receiving the e-mail (column 8, line 58 “sending an email is displayed”), and the content of the created or received e-mail on the display device so as to send and receive the e-mail (column 8, lines 56-65) [The person’s email is selected with a pen for sending e-mail is displayed and also creating and receiving an email]; and

a switching control step (132 on FIG. 1A) of starting or stopping the execution of the browser control step and the e-mail sending and receiving control step in accordance with operator’s instructions and displaying the first display data and the second display data on the display device while switching them (column 7, lines 9-38) [The rotary switch is capable of clockwise and counterclockwise operations as well as push operations to switch from the browser and the e-mail operations].

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Regarding **claim 13**, Kamada discloses a mobile communication device with a rotary push switch (column 1, lines 6-10), (which reads on claimed "a recording medium for recording a computer-executable display switching program"), wherein the program (column 7, lines 48-60) comprises:

a browser control step (column 7, line 50 "a browser function") of executing first processing for displaying first display data having the procedure for browsing a desired web page (column 7, line 54 "uniform resource locators") and the content of the web page on a display device so that an operator browses the web page (column 7, lines 48-60) [The programs include a browser whose functions is extended according to the user's selection];

an e-mail sending and receiving control step (column 8, line 56 "the anchor point of a person's e-mail") of executing second processing for displaying second display data having the procedure for creating an e-mail, the procedure for sending and receiving the e-mail (column 8, line 58 "sending an email is displayed"), and the content of the created or received e-mail on the display device so as to send and receive the e-mail (column 8, lines 56-65) [The person's email is selected with a pen for sending e-mail is displayed and also creating and receiving an email]; and

a switching control step (132 on FIG. 1A) of starting or stopping the execution of the browser control step and the e-mail sending and receiving control step in accordance with operator's instructions and displaying the first display data and the second display data on the display device while switching them (column 7, lines 9-38)

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[The rotary switch is capable of clockwise and counterclockwise operations as well as push operations to switch from the browser and the e-mail operations].

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wells et al. is cited for real-time SMS application messaging using an SMSC-linked server (FIG. 1).

Singh is cited for a method for identifying a service provider from a wireless communicator based on categories of service providers that are called (FIG. 1A).

Marks is cited for data network command packet and telephone network call integration in enhanced services system (FIG. 1).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

  
g.g.

November 13, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

